

political theater right now, and that certainly includes people on my side of the aisle who have tried to imply that pieces of this are President Biden's fault; that the evildoer here is Vladimir Putin, who is targeting women and children; and Americans should be on the same team against that evil.

So to the degree that the Senator is partly motivated by frustration with some grandstanding that he has seen by people who have an "R" behind their name, I agree.

Second point: I am for this funding, and my criticism of the Biden administration has not been because they wouldn't support funding. In the intel space, there are a whole bunch of arguments and fights we have been having that we can't talk about in this setting but where I just want them to go faster.

But the idea that the problem with the administration, from my point of view, is an unwillingness to fund—that isn't my position, and so the Senator and I are united that that would be an unfair criticism of the Biden administration.

And third and finally, he called our budgeting and appropriations process "insanity." Let's put a pin in that because what I was voting against last week was not done for the purposes of saying the Ukrainian aid money shouldn't move, but it is saying that an insane budget process shouldn't work this way, where the American people can't get access into other monies being spent. And we have 12 or 13 subcommittees of the appropriations process, and we almost never get to vote bill by bill.

I would gladly have us stay here 24/7 for 2, 3, 4 weeks—however long it took. And if we had to cast not just 12 or 13 subcommittee approps packages, but if we had to vote on hundreds or thousands of things item by item—it is a pretty clunky process but a much better process than we have right now, which the Senator from Connecticut rightly described is "insane." On that we agree. Thank you for engaging.

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Nevada.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. CORTEZ MASTO. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 794, 795, 796, and 797; that the Senate vote on the nominations en bloc, without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Bidtah N. Becker, of Arizona, to be a Member of the National Council on the Arts for a term expiring September 3, 2022 (New Position); Gretchen Gonzalez Davidson, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2022; Vanessa Northington Gamble, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026; and David Anthony Hajdu, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2026?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

SAFE CONNECTIONS ACT OF 2021

Ms. CORTEZ MASTO. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 193, S. 120.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 120) to prevent and respond to the misuse of communications services that facilitates domestic violence and other crimes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Safe Connections Act of 2021".

SEC. 2. DEFINITIONS.

Except as otherwise provided in this Act, terms used in this Act that are defined in section 344(a) of the Communications Act of 1934, as added by section 4 of this Act, have the meanings given those terms in such section 344(a).

SEC. 3. FINDINGS.

Congress finds the following:

(1) Domestic violence, dating violence, stalking, sexual assault, human trafficking, and related crimes are life-threatening issues and have lasting and harmful effects on individuals, families, and entire communities.

(2) Survivors often lack meaningful support and options when establishing independence from an abuser, including barriers such as financial insecurity and limited access to reliable communications tools to maintain essential connections with family, social safety networks, employers, and support services.

(3) Perpetrators of violence and abuse described in paragraph (1) increasingly use technological and communications tools to exercise control over, monitor, and abuse their victims.

(4) Communications law can play a public interest role in the promotion of safety, life, and property with respect to the types of violence and abuse described in paragraph (1). For example, independent access to a wireless phone plan

can assist survivors in establishing security and autonomy.

(5) Safeguards within communications services can serve a role in preventing abuse and narrowing the digital divide experienced by survivors of abuse.

SEC. 4. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS WITHIN COMMUNICATIONS SERVICES.

Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following:

"SEC. 344. PROTECTION OF SURVIVORS OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, AND RELATED CRIMES.

"(a) DEFINITIONS.—In this section:

"(1) ABUSER.—The term 'abuser' means an individual who has committed or allegedly committed a covered act against—

"(A) an individual who seeks relief under subsection (b); or

"(B) an individual in the care of an individual who seeks relief under subsection (b).

"(2) COVERED ACT.—

"(A) IN GENERAL.—The term 'covered act' means conduct that constitutes—

"(i) a crime described in section 4002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), including domestic violence, dating violence, sexual assault, stalking, and sex trafficking;

"(ii) an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) (relating to severe forms of trafficking in persons and sex trafficking, respectively); or

"(iii) an act under State law, Tribal law, or the Uniform Code of Military Justice that is similar to an offense described in clause (i) or (ii).

"(B) CONVICTION NOT REQUIRED.—Nothing in subparagraph (A) shall be construed to require a criminal conviction or any other determination of a court in order for conduct to constitute a covered act.

"(3) COVERED PROVIDER.—The term 'covered provider' means a provider of a private mobile service or commercial mobile service, as those terms are defined in section 332(d).

"(4) PRIMARY ACCOUNT HOLDER.—The term 'primary account holder' means an individual who is a party to a mobile service contract with a covered provider.

"(5) SHARED MOBILE SERVICE CONTRACT.—The term 'shared mobile service contract'—

"(A) means a mobile service contract for an account that includes not less than 2 consumers; and

"(B) does not include enterprise services offered by a covered provider.

"(6) SURVIVOR.—The term 'survivor' means an individual who is not less than 18 years old and—

"(A) against whom a covered act has been committed or allegedly committed; or

"(B) who cares for another individual against whom a covered act has been committed or allegedly committed (provided that the individual providing care did not commit or allegedly commit the covered act).

"(b) SEPARATION OF LINES FROM SHARED MOBILE SERVICE CONTRACT.—

"(1) IN GENERAL.—Not later than 2 business days after receiving a completed line separation request from a survivor pursuant to subsection (c), a covered provider shall, as applicable, with respect to a shared mobile service contract under which the survivor and the abuser each use a line—

"(A) separate the line of the survivor, and the line of any individual in the care of the survivor, from the shared mobile service contract; or

"(B) separate the line of the abuser from the shared mobile service contract.

"(2) LIMITATIONS ON PENALTIES, FEES, AND OTHER REQUIREMENTS.—A covered provider may not make the separation of a line from a shared

mobile service contract under paragraph (1) contingent on any requirement other than the requirements under subsection (c), including—

“(A) payment of a fee, penalty, or other charge;

“(B) maintaining contractual or billing responsibility of a separated line with the provider;

“(C) approval of separation by the primary account holder, if the primary account holder is not the survivor;

“(D) a prohibition or limitation, including one described in subparagraph (A), on number portability, if such portability is technically feasible, or a request to change phone numbers;

“(E) a prohibition or limitation on the separation of lines as a result of arrears accrued by the account;

“(F) an increase in the rate charged for the mobile service plan of the primary account holder with respect to service on any remaining line or lines; or

“(G) any other limitation or requirement not listed under subsection (c).

“(3) RESPONSIBILITY FOR TRANSFERRED TELEPHONE NUMBERS.—Notwithstanding paragraph (2), beginning on the date on which a covered provider transfers billing responsibilities for and rights to a telephone number or numbers to a survivor under paragraph (1)(A) in response to a line separation request submitted by the survivor under subsection (c), the survivor shall assume financial responsibility, including for monthly service costs, for the transferred telephone number or numbers.

“(4) RESPONSIBILITY FOR TELEPHONE NUMBERS TRANSFERRED TO ANOTHER SERVICE PROVIDER.—Notwithstanding paragraph (2), upon the transfer of a telephone number under paragraph (1)(B) in response to a line separation request submitted by a survivor under subsection (c), the survivor shall have no further financial responsibilities for the telephone number or for any mobile device associated with the telephone number.

“(5) NOTICE TO SURVIVOR.—If a covered provider separates a line from a shared mobile service contract under paragraph (1) and the primary account holder is not the survivor, the covered provider shall notify the survivor of the date on which the covered provider intends to give any formal notice to the primary account holder.

“(c) LINE SEPARATION REQUEST.—

“(1) IN GENERAL.—A survivor seeking relief under subsection (b) shall submit to the covered provider a line separation request that—

“(A) verifies that an individual who uses a line under the shared mobile service contract has committed or allegedly committed a covered act against the survivor or an individual in the survivor’s care, by providing—

“(i) a copy of a signed affidavit from a licensed medical or mental health care provider, licensed military medical or mental health care provider, licensed social worker, licensed victim services provider, or licensed military victim services provider, or an employee of a court, acting within the scope of that person’s employment; or

“(ii) a copy of a police report, statements provided by police, including military police, to magistrates or judges, charging documents, protective or restraining orders, military protective orders, or any other official record that documents the covered act;

“(B) in the case of relief sought under subsection (b)(1)(A), with respect to—

“(i) a line used by the survivor that the survivor seeks to have separated, states that the survivor is the user of that specific line; and

“(ii) a line used by an individual in the care of the survivor that the survivor seeks to have separated—

“(I) includes an affidavit setting forth that the individual is in the care of the survivor; and

“(II) a statement that the individual is the user of that specific line; and

“(C) requests relief under subparagraph (A) or (B) of subsection (b)(1) and identifies each line that should be separated.

“(2) REMOTE OPTION.—A covered provider shall offer a survivor the ability to submit a line separation request under paragraph (1) through secure remote means that are easily navigable.

“(3) ENHANCED PROTECTIONS UNDER STATE LAW.—This subsection shall not affect any law or regulation of a State providing communications protections for survivors (or any similar category of individuals) that has less stringent requirements for providing evidence of a covered act (or any similar category of conduct) than this subsection.

“(d) CONFIDENTIAL AND SECURE TREATMENT OF PERSONAL INFORMATION.—Notwithstanding section 222(b), a covered provider shall treat any information submitted by a survivor under subsection (c) as confidential and securely dispose of the information not later than 90 days after receiving the information.

“(e) AVAILABILITY OF INFORMATION TO CONSUMERS.—A covered provider shall make information about the options and process described in subsections (b) and (c) readily available to consumers—

“(1) on the website and any mobile application of the provider;

“(2) in physical stores; and

“(3) in other forms of public-facing consumer communication.

“(f) TECHNICAL INFEASIBILITY.—

“(1) IN GENERAL.—The requirement to effectuate a line separation request pursuant to subsection (b)(1) shall not apply to a covered provider if the covered provider cannot operationally or technically effectuate the request.

“(2) NOTIFICATION.—If a covered provider cannot operationally or technically effectuate a line separation request as described in paragraph (1), the covered provider shall notify the individual who submitted the request of that infeasibility as soon as is reasonably possible, and in any event not later than 48 hours after receiving the request.

“(g) LIABILITY PROTECTION.—

“(1) IN GENERAL.—A covered provider and any officer, director, employee, vendor, or agent thereof shall not be subject to liability to a survivor or any other person for any claims deriving from an action taken or omission made with respect to compliance with subsection (c).

“(2) COMMISSION AUTHORITY.—Nothing in this subsection shall limit the authority of the Commission to prosecute violations of this section or any rules or regulations promulgated by the Commission pursuant to this section.”.

SEC. 5. RULEMAKING ON PROTECTIONS FOR SURVIVORS OF DOMESTIC VIOLENCE.

(a) DEFINITIONS.—In this section—

(1) the term “appropriate congressional committees” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives;

(2) the term “Commission” means the Federal Communications Commission;

(3) the term “covered hotline” means a hotline related to domestic violence, dating violence, sexual assault, stalking, sex trafficking, severe forms of trafficking in persons, or any other similar act;

(4) the term “Lifeline program” means the program set forth in subpart E of part 54 of title 47, Code of Federal Regulations (or any successor regulation); and

(5) the term “text message” has the meaning given the term in section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)).

(b) RULEMAKINGS.—

(1) HOTLINE CALLS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall commence a rulemaking to consider whether to—

(i) require providers of wireless communications services or wireline voice services to omit

from consumer-facing logs of calls or text messages any records of calls or text messages to covered hotlines, while maintaining internal records of those calls and messages; and

(ii) establish, and provide for updates on a quarterly basis of, a central database of covered hotlines to be used by providers of wireless communications services or wireline voice services in complying with the rule described in clause (i).

(B) CONSIDERATIONS.—The rulemaking conducted under subparagraph (A) shall include consideration of—

(i) the ability of law enforcement agencies or survivors to access a log of calls or text messages in a criminal investigation or civil proceeding;

(ii) the ability of providers of wireless communications services or wireline voice services to—

(I) identify logs that are consumer-facing; and

(II) omit certain consumer-facing logs, while maintaining internal records of such calls and text messages; and

(iii) any other factors associated with the implementation of clauses (i) and (ii) to protect survivors of domestic violence, including factors that may impact smaller providers.

(C) NO EFFECT ON LAW ENFORCEMENT.—Nothing in subparagraph (A) shall be construed to—

(i) limit or otherwise affect the ability of a law enforcement agency to access a log of calls or text messages in a criminal investigation; or

(ii) alter or otherwise expand provider requirements under the Communications Assistance for Law Enforcement Act (Public Law 103-414; 108 Stat. 4279) or the amendments made by that Act.

(2) LINE SEPARATIONS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commission shall adopt rules to implement section 344 of the Communications Act of 1934, as added by section 4 of this Act.

(B) CONSIDERATIONS.—In adopting rules under subparagraph (A), the Commission shall consider—

(i) privacy protections;

(ii) account security and fraud detection;

(iii) account billing procedures;

(iv) liability;

(v) procedures for notification of survivors about line separation processes;

(vi) the requirements for remote submission of a line separation request, including how that option facilitates submission of verification information and meets the other requirements of section 344 of the Communications Act of 1934, as added by section 4 of this Act;

(vii) implementation timelines, based on provider size and geographic reach;

(viii) notice to account holders;

(ix) situations in which a covered provider cannot operationally or technically separate a telephone number or numbers from a shared service plan such that the provider cannot effectuate a line separation request;

(x) financial responsibility for transferred telephone numbers; and

(xi) whether and how the survivor can elect to take financial responsibility for the mobile device associated with the separated line.

(3) LIFELINE PROGRAM.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, or as part of a general rulemaking proceeding relating to the Lifeline program set forth in subpart E of part 54 of title 47, Code of Federal Regulations (or any successor regulation), whichever occurs earlier, the Commission shall adopt rules that allow a survivor suffering from financial hardship who meets the requirements under section 344(c)(1) of the Communications Act of 1934, as added by section 4 of this Act, without regard to whether the survivor meets the otherwise applicable eligibility requirements of the Lifeline program, to—

(i) enroll in the Lifeline program as quickly as is feasible; and

(ii) participate in the Lifeline program based on such qualifications for not more than 6 months.

(B) *EVALUATION.*—Not later than 2 years after completing the rulemaking under subparagraph (A), the Commission shall—

(i) evaluate the effectiveness of the Commission's provision of support to survivors through the Lifeline program;

(ii) assess the detection and elimination of fraud, waste, and abuse with respect to the support described in clause (i); and

(iii) submit to the appropriate congressional committees a report that includes the evaluation and assessment described in clauses (i) and (ii), respectively.

(C) *RULE OF CONSTRUCTION.*—Nothing in this paragraph shall be construed to limit the ability of a survivor who meets the requirements under section 344(c)(1) of the Communications Act of 1934, as added by section 4 of this Act, to participate in the Lifeline program indefinitely if the individual otherwise qualifies for the Lifeline program under the rules of the program.

(D) *NOTIFICATION.*—A provider of wireless communications services that receives a line separation request pursuant to section 344 of the Communications Act of 1934, as added by section 4 of this Act, shall inform the individual who submitted the request of—

(i) the existence of the Lifeline program;

(ii) who qualifies to participate in the Lifeline program; and

(iii) how to participate in the Lifeline program.

SEC. 6. EFFECTIVE DATE.

The requirements under section 344 of the Communications Act of 1934, as added by section 4 of this Act, shall take effect 60 days after the date on which the Federal Communications Commission adopts the rules implementing that section pursuant to section 5(b)(2) of this Act.

SEC. 7. SAVINGS CLAUSE.

Nothing in this Act or the amendments made by this Act shall be construed to abrogate, limit, or otherwise affect the provisions set forth in the Communications Assistance for Law Enforcement Act (Public Law 103-414; 108 Stat. 4279) and the amendments made by that Act, any authority granted to the Commission pursuant to that Act or the amendments made by that Act, or any regulations promulgated by the Commission pursuant to that Act or the amendments made by that Act.

Ms. CORTEZ MASTO. I further ask unanimous consent that the committee-reported substitute be withdrawn; that the substitute amendment at the desk be considered and agreed to; and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 5001), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill was ordered to be engrossed for a third reading and was read the third time.

Ms. CORTEZ MASTO. I know of no further debate on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 120), as amended, was passed.

Ms. CORTEZ MASTO. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS AND ALUMNI AND AMERICORPS SENIORS VOLUNTEERS

Ms. CORTEZ MASTO. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 551, submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 551) recognizing the contributions of AmeriCorps members and alumni and AmeriCorps Seniors volunteers to the lives of the people of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CORTEZ MASTO. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 551) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MORNING BUSINESS

INCREASING MEMBERSHIP TO THE SENATE NATO OBSERVER GROUP

Mr. SCHUMER. Mr. President, due to the current events happening in Europe, the Republican leader and I have agreed to increase the membership to the Senate NATO Observer Group by two additional Senators. The additional Democratic Senator will be named at a later date.

INCREASING MEMBERSHIP TO THE SENATE NATO OBSERVER GROUP

Mr. MCCONNELL. Mr. President, due to the current events happening in Europe, the Majority Leader and I have agreed to increase the membership of the Senate NATO Observer Group by two additional Senators. For the additional Republican Senator, I ask that Senator MORAN be added to participate in the group.

JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, this week, the Senate will consider 12 outstanding judicial nominees. These nominees represent the continued efforts of President Biden and Senate Democrats to bring much-needed professional and demographic diversity to the Federal bench.

This latest lineup of nominees include legal academics, public defenders, civil rights lawyers, sitting State and Federal judges, prosecutors, and private practitioners. Each of these

nominees has the character, temperament, and qualifications to serve with distinction.

The first nominee is Judge Jacqueline Corley, nominated to the U.S. District Court for the Northern District of California.

For more than a decade, Judge Corley has served as a Federal magistrate judge in the Northern District of California. She has handled cases implicating a variety of complex statutory and constitutional questions, from immigration to employment to national security matters. And in her time on the bench, she has amassed a record that reflects her evenhanded, impartial approach to the law. Earlier in her career, Judge Corley spent nearly two decades working in private legal practice and as a career law clerk to Judge Charles Breyer, who also serves on the Northern District of California.

Judge Corley received a unanimous rating of "Well Qualified" from the American Bar Association, has the strong support of Senators FEINSTEIN and PADILLA, and received overwhelming bipartisan support in the Judiciary Committee.

Next, we have Fred Slaughter, who has been nominated to serve on the U.S. District Court for the Central District of California.

Judge Slaughter currently serves as a judge on the California Superior Court for Orange County. In 2014, Governor Jerry Brown appointed him to this position, and since then, Judge Slaughter has presided over a wide variety of cases, including civil cases, felony criminal cases, and juvenile justice proceedings. After graduating from the UCLA School of Law, he started his career as a deputy city attorney with the Los Angeles City Attorney's office, before moving to the U.S. Attorney's Office for the Central District of California as an Assistant U.S. Attorney. He prosecuted a wide range of cases and developed a deep understanding of the district to which he has been nominated.

Judge Slaughter has the strong support of both his home-State Senators, Mrs. FEINSTEIN and Mr. PADILLA, and he was rated unanimously "Well Qualified" by the American Bar Association. His deep commitment to public service, coupled with his broad experience, makes him an excellent nominee to the Federal bench.

The Senate will also consider the nomination of Ruth Montenegro to the U.S. District Court for the Southern District of California.

Since 2018, Judge Montenegro has served as a U.S. magistrate judge in the Southern District of California. Prior to that, she served as a State court judge. With her combined experience on federal and State courts, Judge Montenegro has been on the bench for nearly 8 years. She has presided over thousands of cases, including more than 30 jury trials and over 100 bench trials.

Judge Montenegro was unanimously rated "Qualified" by the American Bar